

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 67005

Allison Chavis
Eugene Chavis

7033 Dunbar Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on October 7, 2009, for a Hearing on a citation for violations of the Baltimore County Zoning Regulations (BCZR) section 101, 1B01.1A, 102.1; Baltimore County Code (BCC) section 13-4-104, failure to eliminate open dump conditions on residential property zoned DR 10.5 known as 7033 Dunbar Road, 21222.

On September 21, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Robert Moorefield issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$5,000.00 (five thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on September 2, 2009 for removal of open dump/junk yard, removal of animal feces and proper storage of garbage in cans with tight lids. This Citation was issued on September 21, 2009.

B. Inspector Robert Moorefield testified that there have been a series of enforcement notices issued for this property in the last two years. Photographs in the file show a pile of junk and debris including old carpeting, lumber, and a broken garbage can.

C. Respondent Eugene Chavis testified that his wife lives in the house. He further testified that the junk and debris has been removed, and that it was put on his property by someone else using the alley.

D. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if re-inspection finds the violations have been corrected.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$200.00 (two hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if re-inspection finds the violations corrected.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 14th day of October 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

MZF/jaf